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## GAINOR & DONNER

3250 Mary Street  
Suite 405  
Miami, Florida 33131  
O.[305.537-2000](tel:305.537.2000)  
F.[305.537-2001](tel:305.537.2001)  
C.[305.206.2008](tel:305.206.2008)  
[Gainorlaw@gmail.com](mailto:Gainorlaw@gmail.com)  
[adonner@gainorlaw.org](mailto:adonner@gainorlaw.org)

March 6, 2023

**BY ECF**

The Honorable J. Paul Oetken  
United States District Court Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. John Costanzo Jr. and Manuel Recio*, 22 Cr. 281 (JPO)**

Dear Judge Oetken:

We write to respectfully request permission to file under seal Defendant Manuel Recio's Motion to Quash Grand Jury Subpoena. Pursuant to the language provided in the letter attached to the Grand Jury Subpoena, the government requested as follows:

The Government hereby requests that you voluntarily refrain from disclosing the existence of the subpoena to any third party. While you are under no obligation to comply with our request, we are requesting you not to make any disclosure in order to preserve the confidentiality of the investigation and because disclosure of the existence of this investigation might interfere with and impede the investigation.

Furthermore, the government confirmed by e-mail communication with the undersigned today that the motion should be filed under seal.

In accordance with Rule 8E of Your Honor's Individual Practices in Criminal Cases, Local Civil Rule 5.2 and the Southern District of New York's ECF Privacy Policy, Mr. Recio requests permission to file the Motion to Quash Grand Jury Subpoena and the Motion to Seal under a Level 2 Sealing Restriction, Selected Parties.

Dated: March 6, 2023  
New York, New York

Respectfully submitted,

s/Amber Donner  
Gainor & Donner  
3250 Mary Street  
Suite 405  
Miami, Florida 33133  
Email: gainorlaw.com  
*Counsel for Manuel Recio*

cc Via ECF: all counsel

Granted. Defendant's motion to quash is hereby ordered filed under seal. Any exhibits that are digital recordings should be placed on a thumb drive and hand delivered to chambers.  
So ordered.  
3/10/2023



J. PAUL OETKEN  
United States District Judge